

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Alexander Bekker

Serial No. 10/722,978

Filed: November 25, 2003

For: IDENTIFICATION TAG AND
RELATED IDENTIFICATION TAG
SYSTEM

Group Art Unit: 3611

Examiner: Gary Chapman Hoge

Docket No. PREDYN-44675

APPELLANT'S BRIEF
(37 CFR §1.192)

Commissioner for Patents
Via E-File

Gentlemen:

This brief is in furtherance of the Notice of Appeal, filed in this case on November 14, 2007. The fees required under §1.17 for filing this brief are submitted herewith.

I. **REAL PARTY INTEREST**

The real party in interest in the above-identified matter is Precision Dynamics Corporation, a California corporation, pursuant to the June 14, 2004 Assignment by Alexander Bekker, the inventor.

II. RELATED APPEALS AND INTERFERENCES

There are no prior or pending appeals, judicial proceedings or interferences known to the appellant which may be related to, directly affect or be directly affected by or having a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 1-11, 16-34, 37-49, 52-61 and 87-94 are pending in the application, of which claims 24-27, 38-41 and 59-61 have been withdrawn.

Claims 1-11, 16-23, 28-34, 37, 42-49, 52-58 and 87-94 have been rejected and are on appeal.

There are no claims which have been objected to or allowed.

IV. STATUS OF AMENDMENTS

There have been no Amendments filed subsequent to the final rejection.

Applicant believes that all prior Amendments have been entered.

V. SUMMARY OF CLAIMED SUBJECT MATTER

According to independent claim 1, the present invention is directed to an identification tag system for an infant or small child. (p 11, lines 21-24). The system includes a generally rectangular elastomeric identification tag having a long dimension and a short dimension, the tag including a pair of slots therethrough and means for receiving information associated with the infant or small child. (p 11, lines 15-18; p 11, lines 27-29; p 12, lines 10-26; p 13, lines 7-12; p 17, lines 11-16). The means for receiving information includes materials suitable for receiving and bearing printed information in human and/or machine readable forms, i.e., printed words and linear/matrix bar codes. (p 11, line 29 thru p 12, line 9; FIG. 3). The means for receiving information may also include a radio frequency identification (RFID) device embedded between plies of the tag. (p 12, line 27 thru p 13, line 4).

The identification tag is mounted on an elongated elastomeric wristband and related fastening means for configuring and retaining said wristband in a small diameter closed loop shape of selected circumferential size wrapped about a wrist or ankle of the infant or small child. (p 11, lines 18-24; p 13, lines 5-27; p 14, lines 3-7 and lines 19-22; p 14, line 31 thru p 15, line 7; FIGS. 9-18). The fastening means includes a plurality of longitudinally spaced apertures with a pair of snap-fit type elements, as well as other methods disclosed in the cited patent references. (p 13, line 18 thru p 14, line 2). The wristband is threaded through the slots on the identification tag. (p 13, lines 7-12; FIGS. 9, 11 and 13).

The identification tag is mounted onto the exterior of said wristband such that the long dimension of the tag extends generally perpendicular to a long dimension of said wristband. (p 14, lines 24-31; p16, lines 29-31; FIGS. 9-13). This orientation maximizes the readable area of the information-receiving means on the tag and minimizes the degree of curvature of the tag when mounted on the small diameter wrist or ankle of the infant or small child. (p 11, lines 24-26; p 15, lines 8-24; p 17, lines 16-21; FIGS. 9-13).

According to independent claim 28, the present invention is also directed to an identification tag for mounting onto an elongated elastomeric wristband associated with fastening means for configuring and retaining the wristband in a small diameter, closed loop of selected circumferential size wrapped about a wrist or ankle of an infant or small child. (p 11, lines 18-24; p 13, lines 5-27; p 14, lines 3-7 and lines 19-22; p 14, line 31 thru p 15, line 7; FIGS. 9-18). The fastening means includes a plurality of longitudinally spaced apertures with a pair of snap-fit type elements, as well as other methods disclosed in the cited patent references. (p 13, line18 thru p 14, line 2).

The identification tag comprises a generally rectangular elastomeric identification tag having a long dimension and a short dimension and having a relatively stiff and generally planar structure. (p 11, lines 15-18; p 11, lines 27-29; p 12, lines 10-26; p 13, lines 7-12; FIGS. 9-13). The tag including a pair of slots there through (p 17, lines 11-16, FIG. 11) and means for receiving information associated with the infant or small child. The means for receiving information includes materials suitable for receiving and bearing printed information in human and/or machine readable forms, i.e., printed

words and linear/matrix bar codes. (p 11, line 29 thru p 12, line 9; FIG. 3). The means for receiving information may also include a radio frequency identification (RFID) device embedded between plies of the tag. (p 12, line 27 thru p 13, line 4).

The identification tag also includes means for mounting said tag onto the exterior of the wristband. The means for mounting includes the slots on the tag through which the wristband is threaded (p 13, lines 7-12; p 17, lines 11-16; FIGS. 9, 11 and 13). The wristband is threaded through said slots such that the long dimension of the tag extends generally perpendicular to a long dimension of the wristband. (p 14, lines 24-31; p 16, lines 29-31; FIGS. 9-13). This orientation maximizes the readable area of the information-receiving means on the tag and minimizes the degree of curvature of the tag when mounted on the small diameter wrist or ankle of the infant or small child. (p 11, lines 24-26; p 15, lines 8-24; p 17, lines 16-21; FIGS. 9-13).

According to independent claim 42, the present invention is also directed to an identification tag system for an infant or small child. (p 11, lines 21-24). This system comprises a supply of generally rectangular identification tags. (p 16, lines 5-23; FIGS. 4-8). As in the above claims, each tag has a long dimension and a short dimension, includes a pair of slots there through (p 11, lines 15-18; p 11, lines 27-29; p 12, lines 10-26; p 13, lines 7-12; p 17, lines 11-16, FIGS. 9-13), and has a means for receiving information associated with the infant or small child. The means for receiving information includes materials suitable for receiving and bearing printed information in human and/or machine readable forms, i.e., printed words and linear/matrix bar codes. (p 11, line 29 thru p 12, line 9; FIG. 3). The means for receiving information may also

include a radio frequency identification (RFID) device embedded between plies of the tag. (p 12, line 27 thru p 13, line 4).

The system also comprises a supply of elongated elastomeric wristbands. (p 16, lines 11-16). A related fastening means is included for configuring and retaining each of said wristbands in a small diameter closed loop shape of selected circumferential size wrapped about a wrist or ankle of the infant or small child. (p 11, lines 18-24; p 13, lines 5-27; p 14, lines 3-7 and lines 19-22; p 14, line 31 thru p 15, line 7; FIGS. 9-18). The fastening means includes a plurality of longitudinally spaced apertures with a pair of snap-fit type elements, as well as other methods disclosed in the cited patent references. (p 13, line 18 thru p 14, line 2).

Each of said identification tags are mounted onto the exterior of an associated one of said wristbands. (p 16, lines 11-16). The associated wristband is threaded through said slots to orient said tag with said long dimension thereof extending generally perpendicular to a long dimension of said associated wristband. (p 14, lines 24-31; p 16, lines 29-31; FIGS. 9-13). This configuration maximizes the readable area of the information-receiving means on the tag and minimizes the degree of curvature of the tag when mounted on the small diameter wrist or ankle of the infant or small child. (p 11, lines 24-26; p 15, lines 8-24; p 17, lines 16-21; FIGS. 9-13).

According to independent claim 87, the present invention is also directed to an identification tag for mounting onto an elongated elastomeric wristband associated with fastening means for configuring and retaining the wristband in a small diameter, closed loop of selected circumferential size wrapped about a wrist or ankle of an infant or small

child. (p 11, lines 18-24; p 13, lines 5-27; p 14, lines 3-7 and lines 19-22; p 14, line 31 thru p 15, line 7; FIGS. 9-18). The fastening means includes a plurality of longitudinally spaced apertures with a pair of snap-fit type elements, as well as other methods disclosed in the cited patent references. (p 13, line 18 thru p 14, line 2).

The identification tag comprises a generally rectangular identification tag having a long dimension and a short dimension and having a relatively stiff and generally planar structure. (p 11, lines 15-18; p 11, lines 27-29; p 12, lines 10-26; p 13, lines 7-12; FIGS. 9-13). The tag including a pair of slots there through (p 17, lines 11-16, FIG. 11) and means for receiving information associated with the infant or small child. The means for receiving information includes materials suitable for receiving and bearing printed information in human and/or machine readable forms, i.e., printed words and linear/matrix bar codes. (p 11, line 29 thru p 12, line 9; FIG. 3). The means for receiving information may also include a radio frequency identification (RFID) device embedded between plies of the tag. (p 12, line 27 thru p 13, line 4).

The identification tag also includes means for mounting said tag onto the exterior of the wristband. The means for mounting includes the slots on the tag through which the wristband is threaded (p 13, lines 7-12; p 17, lines 11-16; FIGS. 9, 11 and 13). The wristband is threaded through said slots to orient the tag with the long dimension extending generally perpendicular to a long dimension of the wristband. (p 14, lines 24-31; p 16, lines 29-31; FIGS. 9-13). This orientation maximizes the readable area of the information-receiving means on the tag and minimizes the degree of curvature of the

tag when mounted on the small diameter wrist or ankle of the infant or small child. (p 11, lines 24-26; p 15, lines 8-24; p 17, lines 16-21; FIGS. 9-13).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. Whether claims 1-7, 11, 16, 20, 21, 28-32, 37, 87-91 and 94 are unpatentable under 35 U.S.C. §103(a) as being unpatentable over McDermott (U.S. 3,965,589) in view of Tinklenberg et al. (U.S. 3,965,589).

B. Whether claims 8-10, 33, 34, 92 and 93 are unpatentable under 35 U.S.C. §103(a) as being unpatentable over McDermott (U.S. 3,965,589) in view of Tinklenberg et al. (U.S. 3,965,589), as applied to claims 2 and 1, respectively, above, and further in view of Grose et al. (U.S. 2002/0054940).

C. Whether claims 17-19, 22, 23, 42-46, 49 and 52-58 are unpatentable under 35 U.S.C. §103(a) as being unpatentable over McDermott (U.S. 3,965,589) in view of Tinklenberg et al. (U.S. 3,965,589) as applied to claim 1, above, and further in view of Duncan (U.S. 6,058,637).

D. Whether claims 47 and 48 are unpatentable under 35 U.S.C. §103(a) as being unpatentable over McDermott (U.S. 3,965,589) in view of Tinklenberg et al. (U.S. 3,965,589) and Duncan (U.S. 6,058,637) as applied to claim 42, above, and further in view of Grose et al. (U.S. 2002/0054940).

VII. ARGUMENT

In the Office Action dated October 2, 2007, claims 1-11, 16-23, 28-34, 37, 42-49, 52-58 and 87-94 were rejected under 35 U.S.C. §103(a) as being unpatentable over McDermott (U.S. 3,965,589) in view of Tinklenberg et al. (U.S. 3,965,589) and in various combinations with Duncan (U.S. 6,058,637) and Grose et al. (U.S. 2002/0054940).

As presented, the claims of the present invention are directed to an identification tag and/or tag system for use with an infant or small child. As stated in the claims, the identification tag is designed for use with a "small diameter" closed loop wristband placed around the wrist or ankle of an infant or small child. If the wristband loop is not of sufficiently small diameter the wristband may easily slide over the hand or foot of the infant or small child thereby separating the patient from its identification means. In this field, the age of the wearer is eminently relevant to the patentability of the claimed invention.

A special consideration that is involved when making an identification tag system for use with an infant or small child is the readability of the identifying information on the tag. Where a wristband is placed around the wrist or ankle of an infant or small child, the wristband creates a small diameter loop – smaller than the diameter loop created when used on an adolescent or an adult. This small diameter loop results in a higher degree of curvature than on larger diameter loops.

In prior art identification tag systems where the identification tag is oriented to run along the wristband, this higher degree of curvature has the effect of making the

identification information on the more difficult to read. Where the identification information comprises human-readable information, a person attempting to read such a curved tag would need to rotate the tag, or even the wrist or ankle of the infant or small child. Such action may cause delay or error when time is critical or result in injury to the wrist or ankle of the infant or small child.

Where the identification information comprises machine-readable information, i.e., barcodes or RFID devices, the curvature may make such information difficult or impossible to read. The barcode may be too distorted by the curvature and the RFID device may be damaged and cease to function because of repeated curving or bending. Therefore, when a wristband is placed in a small diameter loop around the wrist or ankle of an infant or small child, the degree of curvature and the size of the readable area is a critical consideration. It is desirable to have an identification tag on a wristband that will not be subjected to the high degree of curvature associated with the wrist or ankle of an infant or small child.

The claims clearly set forth this and other features of the claimed invention by including the limitation "wherein said identification tag is mounted onto the exterior of said wristband such that the long dimension of the tag extends generally perpendicular to a long dimension of said wristband". This configuration of identification tag to wristband exposes the short dimension of the identification tag to the curvature associated with the small diameter wrist or ankle of the infant or child rather than the long dimension. This association minimizes the degree of curvature of the tag thereby maximizing the readable area on the tag. This avoids the possibility of errors in

reading, injury to the patient or damage to the information receiving means.

A. 35 U.S.C. §103(a) - McDermott in view of Tinklenberg

Applicant previously argued that the combined references McDermott and Tinklenberg failed to teach an identification tag for attachment to the small diameter wrist or ankle of an infant or small child. The cited portion of McDermott, Fig. 7 and element 22, fails to disclose an identification tag for attachment to the wrist of an infant or small child. According to the description in McDermott, element 22 is a tether which is used to attach an encoded identification plate 56 to a band portion 21. When the tether 22 is used as taught in McDermott and applied to a wristband 21 (see Fig. 6), the long dimension of the identification tag is aligned with the long dimension of the wristband, not perpendicular thereto.

There is no mention in McDermott of the tether 22 being placed around the small diameter wrist or ankle of an infant or small child, nor does McDermott discuss the consideration of the degree of curvature of the identification tag. In addition, the manner in which the identification plate 56 is attached to the tether 22 would leave a portion of the tag that would rub on or dig into the flesh around the wrist or ankle of an infant or small child thereby generating discomfort. This is contrary to one of the stated purposes of the present invention to present a comparatively comfortable and compliant structure.

As admitted by the examining attorney in a prior Office Action, the identification tag shown in McDermott does not include a pair of slots for receiving the wristband thereby resulting in the configuration where the long dimension of the tag extends

generally perpendicular to the long dimension of the wristband. In support of this teaching the examining attorney relies upon Tinklenberg, which shows a tag for banded merchandise, described as a "clump of agricultural produce" held together by a rubber band, twist tie band or other band of string type material. The teachings of Tinklenberg are so far removed from the teachings and goals of the present invention that it clearly constitutes non-analogous art. A person having ordinary skill in the art seeking to design an identification tag system for an infant or small child that addresses issues of comfort as well as issues of readability of the identification tag would not look to Tinklenberg.

Tinklenberg is not concerned with the "comfort" of the agricultural produce. Nor is it concerned with the ease with which the information on the marking tag is read. Unlike an infant or small child, the agricultural produce in Tinklenberg may be manipulated and turned in any direction in order to read the tag without disturbing or injuring the produce. In contrast, the arm or leg of an infant or small child may not be manipulated in whatever direction is most convenient for reading the tag. To do so may disturb an infant or small child which is asleep or in discomfort, or even cause injury.

Further, Tinklenberg teaches away from the principles of the claimed invention. According to Tinklenberg, a user can deflect a tongue 20 to allow one to slide the tongue 20 beneath a band 10 to affix the tag 12 to the band 10. (Tinklenberg, col 4, lines 31-41). By applying these steps in reverse, the tag 12 of Tinklenberg can be removed from the band 10. The ability to so easily remove the tag 12 from the band 10 is contrary to the teachings of the present invention. If a person were able to so easily

remove the identification tag of the present invention from the wristband, it would defeat the purpose of securing the identification tag to the wearer and decrease the ability to reliably identify the patient.

In the last Office Action, the examining attorney maintained this rejection based upon McDermott and Tinklenberg on the basis that the limitation that the tag is designed for use with a "small diameter" closed loop wristband does not distinguish over the prior art. The rationale given was that no frame of reference had been established as to what constitutes "small diameter" and the diameter of the wristband disclosed by McDermott is small compared to many things. The examining attorney continued that even if the diameter had been recited in such a way as to distinguish over the prior art (e.g., by reciting a specific diameter), it still would not be allowable because it is known in the art to provide wristbands for infants that are smaller than the wristbands used for adults. The examining attorney also reasoned that Tinklenberg is not non-analogous art and that both McDermott and Tinklenberg are concerned with attaching an identification tag to a band.

The rationale put forth by the examining attorney focuses too narrowly on the "small diameter" limitation rather than on the claimed combination. The novelty of the invention does not reside merely in the small diameter of the wristband but in the combination of the small diameter with the identification tag being oriented in a different direction. This combination results in an identification tag usable with infants and small children that minimizes the degree of curvature and maximizes the readable area of the

identification tag. The examining attorney's narrow reasoning ignores this inventive combination.

The manner in which the examining attorney combines McDermott and Tinklenberg is not suggested by the prior art or the knowledge available. There is no motivation to attach the tag 56 to the tether 22 of McDermott using the tongue 20 and slots 13, 14 taught by Tinklenberg. A person having ordinary skill in the art would realize no benefit by combining the references in the manner suggested. If the tag 56 were attached to the tether 22 of McDermott using the tongue 20 and slots 13, 14 of Tinklenberg, the tag 56 would not be oriented in such a way so as to be insertable into the pocket 53 of McDermott. It is for this and other reasons argued herein, that a person having ordinary skill in the art would not combine Tinklenberg with McDermott.

In addition, as discussed above, Tinklenberg is non-analogous art because it involves different considerations. A person having ordinary skill in the art dealing for identification wristbands for people would not look to Tinklenberg, which deals with marking tags for bunches of produce.

B. 35 U.S.C. §103(a) - McDermott in view of Tinklenberg and further in view of Grose

For the same reasons discussed above, the combination of McDermott with Tinklenberg does not teach or suggest the limitations of claims 1 and 2 as asserted by the examining attorney. Grose fails to supply those teachings or suggestions that are missing. The examining attorney cites to Grose for the teaching of providing an identification tag having both human-readable indicia and an RFID chip.

Grose does not teach or suggest providing a small diameter wristband wherein the identification tag is secured to the wristband through a pair of slots such that the long dimension of the identification tag is perpendicular to the long dimension of the wristband. Grose also does not suggest the motivation for this configuration, namely, that the degree of curvature of the identification tag resulting from a small diameter mounting will be minimized and the readable area will be maximized.

C. 35 U.S.C. §103(a) - McDermott in view of Tinklenberg and further in view of Duncan

For the same reasons discussed above, the combination of McDermott with Tinklenberg does not teach or suggest the limitations of claim 1 as asserted by the examining attorney. Duncan fails to supply those teachings or suggestions that are missing. The examining attorney cites to Duncan for the teaching of providing a supply of identification tags that are detachably interconnected to each other and fed through a printer.

Duncan does not teach or suggest providing a small diameter wristband wherein the identification tag is secured to the wristband through a pair of slots such that the long dimension of the identification tag is perpendicular to the long dimension of the wristband. Duncan also does not suggest the motivation for this configuration, namely, that the degree of curvature of the identification tag resulting from a small diameter mounting will be minimized and the readable area will be maximized.

D. 35 U.S.C. §103(a) - McDermott (U.S. 3,965,589) in view of Tinklenberg and Duncan and further in view of Grose

For the same reasons discussed above, the combination of McDermott with Tinklenberg and Duncan does not teach or suggest the limitations of claim 42 as asserted by the examining attorney. Grose fails to supply those teachings or suggestions that are missing. The examining attorney cites to Grose for the teaching of providing an identification tag having both human-readable indicia and an RFID chip.

Grose does not teach or suggest providing a small diameter wristband wherein the identification tag is secured to the wristband through a pair of slots such that the long dimension of the identification tag is perpendicular to the long dimension of the wristband. Grose also does not suggest the motivation for this configuration, namely, that the degree of curvature of the identification tag resulting from a small diameter mounting will be minimized and the readable area will be maximized.

From the foregoing arguments and remarks, applicant respectfully asserts that the currently pending claims 1-11, 16-23, 28-34, 37, 42-49, 52-58 and 87-94 are in condition for allowance, notice of which is hereby respectfully requested.

VIII. CLAIMS APPENDIX

1. An identification tag system for an infant or small child, comprising:
a generally rectangular elastomeric identification tag having a long dimension and a short dimension, the tag including a pair of slots therethrough and means for receiving information associated with the infant or small child;
an elongated elastomeric wristband and related fastening means for configuring and retaining said wristband in a small diameter closed loop shape of selected circumferential size wrapped about a wrist or ankle of the infant or small child, wherein said wristband is threaded through said slots; and
wherein said identification tag is mounted onto the exterior of said wristband such that the long dimension of the tag extends generally perpendicular to a long dimension of said wristband so as to maximize a readable area of the information-receiving means on the tag and to minimize the degree of curvature of the tag when mounted on the small diameter wrist or ankle of the infant or small child.
2. The identification tag system of claim 1 wherein said information-receiving means on said identification tag comprises an information-bearing surface area comprising an outboard presented surface of said tag, when said tag is mounted onto said wristband, and further including information associated with the infant or small child carried on said information-bearing surface area.
3. The identification tag system of claim 2 wherein said information is printed on said information-bearing surface area.

4. The identification tag system of claim 2 wherein said information is printed on said information-bearing surface area in human readable form.
5. The identification tag system of claim 2 wherein said information is printed on said information-bearing surface area in machine readable form.
6. The identification tag system of claim 5 wherein said information in machine readable form comprises bar code data.
7. The identification tag system of claim 2 wherein said information is printed on said information-bearing surface area in human readable form and machine readable form.
8. The identification tag system of claim 2 wherein said information-receiving means on said identification tag further comprises a radio frequency identification (RFID) circuit carried by said tag.
9. The identification tag system of claim 1 wherein said information-receiving means on said identification tag comprises a radio frequency identification (RFID) circuit carried by said tag.
10. The identification tag system of claim 9 wherein said tag has a multiple ply construction, and further wherein said RFID circuit is embedded within said tag.
11. The identification tag system of claim 1 wherein said identification tag comprises a relatively stiff and generally planar structure, and wherein said flexible wristband comprises a comparatively comfortable and compliant structure.
- 12.-15. (Canceled).

16. The identification tag system of claim 2 wherein a substantial portion of said information-bearing surface area on said identification tag extends laterally from said wristband.

17. The identification tag system of claim 1 further including a supply of multiple of said identification tag detachably interconnected to each other, and at least one processor station for applying said information to one of said supply of multiple identification tags, said resultant information-bearing tag being separable from said supply for mounting onto said wristband.

18. The identification tag system of claim 17 wherein said supply of detachably interconnected identification tags is provided in roll form.

19. The identification tag system of claim 17 wherein said supply of detachably interconnected identification tags is provided in sheet form.

20. The identification tag system of claim 1 further including a plurality of said identification tag mounted onto the exterior of said flexible wristband.

21. The identification tag system of claim 20 wherein at least one of said identification tags is color coded.

22. The identification tag system of claim 1 further including a related group of identification tags each including means for receiving information related to a specific group of infants or small children, and a plurality of flexible wristbands, each of said identification tags being detachably interconnected to each other and separable from each other for respective mounting onto said flexible wristbands.

23. The identification tag system of claim 22 wherein said group of identification

tags includes at least one relatively large tag and at least one comparatively smaller tag.

24.-27. (Withdrawn)

28. An identification tag for mounting onto an elongated elastomeric wristband associated with fastening means for configuring and retaining the wristband in a small diameter, closed loop of selected circumferential size wrapped about a wrist or ankle of an infant or small child, said identification tag comprising:

a generally rectangular elastomeric identification tag having a long dimension and a short dimension and having a relatively stiff and generally planar structure, the tag including a pair of slots therethrough and means for receiving information associated with the infant or small child; and

means for mounting said tag onto the exterior of the wristband, wherein said wristband is threaded through said slots such that the long dimension of the tag extends generally perpendicular to a long dimension of the wristband so as to maximize a readable area of the information-receiving means on the tag and to minimize the degree of curvature of the tag when mounted on the small diameter wrist or ankle of the infant or small child.

29. The identification tag of claim 28 wherein said information-receiving means on said identification tag comprises an information-bearing surface area comprising an outboard presented surface of said tag, when said tag is mounted onto the wristband, and further including information associated with the infant or small child carried on said information-bearing surface area.

30. The identification tag of claim 29 wherein said information is printed on said information-bearing surface area.

31. The identification tag of claim 29 wherein said information is printed on said information-bearing surface area in a selected one or both of human readable form and machine readable form.

32. The identification tag of claim 31 wherein said information in machine readable form comprises bar code data.

33. The identification tag of claim 28 wherein said information-receiving means on said identification tag comprises a radio frequency identification (RFID) circuit carried by said tag.

34. The identification tag of claim 33 wherein said tag has a multiple ply construction, and further wherein said RFID circuit is embedded within said tag.

35.-36. (Canceled).

37. The identification tag of claim 29 wherein a substantial portion of said information-bearing surface area on said identification tag extends laterally from the wristband, when said tag is mounted on the wristband.

38.-41. (Withdrawn)

42. An identification tag system for an infant or small child, comprising:
a supply of generally rectangular identification tags, each tag having a long dimension and a short dimension and including a pair of slots therethrough and means for receiving information associated with the infant or small child;
a supply of elongated elastomeric wristbands and related fastening means for

configuring and retaining each of said wristbands in a small diameter closed loop shape of selected circumferential size wrapped about a wrist or ankle of the infant or small child; and

each of said identification tags being mounted onto the exterior of an associated one of said wristbands wherein said associated wristband is threaded through said slots to orient said tag with said long dimension thereof extending generally perpendicular to a long dimension of said associated wristband so as to maximize a readable area of the information-receiving means on the tag and to minimize the degree of curvature of the tag when mounted on the small diameter wrist or ankle of the infant or small child.

43. The identification tag system of claim 42 wherein said information-receiving means on each of said identification tags comprises an information-bearing surface area on an outboard presented surface thereof when said tag is mounted onto said associated wristband, and further including information associated with the infant or small child carried by said information-bearing surface area.

44. The identification tag system of claim 43 wherein said information is printed on said information-bearing surface area.

45. The identification tag system of claim 44 wherein said information is printed on said information-bearing surface area in a selected one of human readable form, machine readable form, or both.

46. The identification tag system of claim 45 wherein said information in machine readable form comprises bar code data.

47. The identification tag system of claim 42 wherein said information-receiving

means on each of said identification tags comprises a radio frequency identification (RFID) circuit.

48. The identification tag system of claim 47 wherein each of said identification tags has a multiple ply construction, and further wherein said RFID circuit associated therewith is embedded within said identification tag.

49. The identification tag system of claim 42 wherein each of said identification tags comprises a relatively stiff and generally planar structure, and wherein each of said elastomeric wristbands comprises a comparatively comfortable and compliant structure.

50.-51. (Canceled).

52. The identification tag system of claim 43 wherein a substantial portion of said information-bearing surface area on each of said identification tags extends laterally from the associated wristband, when said tag is mounted on the associated wristband.

53. The identification tag system of claim 42 wherein said supply of identification tags comprises a plurality of said identification tags detachably interconnected to each other, and further including at least one processor station for applying said information to each of said identification tags, said resultant information-bearing tags each being separable from said plurality of identification tags for mounting onto said associated wristband.

54. The identification tag system of claim 42 wherein at least one of said identification tags is color coded.

55. The identification tag system of claim 53 wherein said plurality of detachably interconnected identification tags is provided in roll form.

56. The identification tag system of claim 53 wherein said plurality of detachably interconnected identification tags is provided in sheet form.

57. The identification tag system of claim 42 wherein said supply of identification tags comprises a related group of identification tags each including means for receiving information related to a specific group of infants or small children, said related group of said identification tags being detachably interconnected to each other and separable from each other for respective mounting onto said wristbands.

58. The identification tag system of claim 57 wherein said related group of identification tags includes at least one relatively large tag and at least one comparatively smaller tag.

59.-61. (Withdrawn)

62.-86. (Canceled).

87. An identification tag for mounting onto an elongated elastomeric wristband associated with fastening means for configuring and retaining the wristband in a small diameter closed loop of selected circumferential size wrapped about a wrist or ankle of an infant or small child, said identification tag comprising:

a generally rectangular identification tag having a long dimension and a short dimension and having a relatively stiff and generally planar structure, the tag including a pair of slots therethrough and means for receiving information associated with the infant or small child; and

means for mounting said tag onto the exterior of the wristband, wherein said wristband is threaded through said slots to orient said tag with said long dimension thereof extending generally perpendicular to a long dimension of said wristband so as to maximize a readable area of the information-receiving means on the tag and to minimize the degree of curvature of the tag when mounted on the small diameter wrist or ankle of the infant or small child.

88. The identification tag of claim 87 wherein said information-receiving means on said identification tag comprises an information-bearing surface area comprising an outboard presented surface of said tag, when said tag is mounted onto the wristband, and further including information associated with the infant or small child carried on said information-bearing surface area.

89. The identification tag of claim 88 wherein said information is printed on said information-bearing surface area.

90. The identification tag of claim 88 wherein said information is printed on said information-bearing surface area in a selected one or both of human readable form and machine readable form.

91. The identification tag of claim 90 wherein said information in machine readable form comprises bar code data.

92. The identification tag of claim 87 wherein said information-receiving means on said identification tag comprises a radio frequency identification (RFID) circuit carried by said tag.

93. The identification tag of claim 92 wherein said tag has a multiple ply construction, and further wherein said RFID circuit is embedded within said tag.
94. The identification tag of claim 88 wherein a substantial portion of said information-bearing surface area on said identification tag extends laterally from the wristband, when said tag is mounted on the wristband.

IX. EVIDENCE APPENDIX

None.

X. **RELATED PROCEEDINGS APPENDIX**

None.

Respectfully submitted,

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Enclosure: USPTO Fee

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